

Substitute for Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 004640-053
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>107557827</b>
INTERNATIONAL APPLICATION NO. PCT/DE2004/000589	INTERNATIONAL FILING DATE March 23, 2004	PRIORITY DATE CLAIMED April 25, 2003		
TITLE OF INVENTION  <b>METHOD FOR TESTING EXTERNAL INFLUENCES ON BIOLOGICAL TISSUE</b>				
APPLICANT(S) FOR DO/EO/US POPP, Fritz-Albert, COHEN, Sophie and YAN, Yu				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>				
Items 11 to 21 below concern document(s) or information included:				
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <u>General Authorization for Petitions for Extensions of Time and Payment of Fees, Application Data Sheet, PCT/ISA/210 and Petition to Revive Unintentionally Abandoned Application Pursuant to 37 C.F.R. 1.137(b), PCT/IB/301, PCT/IB/304, PCT/IB/308, PCT/IB/332, PCT/IPEA/409 and PCT/IPEA/416</u></li> </ol>				

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<p>21. <input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>Bühler GMBH, Braunschweig, Germany</u></p> <hr/> <hr/> <hr/> <hr/>																																																																																																															
<p>22. <input type="checkbox"/> The following fees are submitted:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 5px;">Basic Filing Fee (1631)</td> <td style="padding: 5px; text-align: right;">\$ 300.00</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Surcharge of <b>\$130.00 (1617)</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</td> <td style="padding: 5px; text-align: right;">\$ 0.00</td> </tr> <tr> <td style="width: 25%; padding: 5px;">CLAIMS</td> <td style="width: 25%; padding: 5px;">NUMBER FILED</td> <td style="width: 25%; padding: 5px;">NUMBER EXTRA</td> <td style="width: 25%; padding: 5px;">RATE</td> </tr> <tr> <td>Total Claims</td> <td>4</td> <td>-20 =</td> <td>0      <input type="checkbox"/> \$50.00 (1615)      \$ 0.00</td> </tr> <tr> <td>Independent Claims</td> <td>1</td> <td>- 3 =</td> <td>0      <input type="checkbox"/> \$200.00 (1614)      \$ 0.00</td> </tr> <tr> <td colspan="2" style="padding: 5px;">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td colspan="2" style="padding: 5px; text-align: right;">+ \$360.00 (1616)</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Examination Fee</td> <td colspan="2" style="padding: 5px; text-align: right;">+ \$200.00 (1633)      \$ 200.00</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Search Fee</td> <td colspan="2" style="padding: 5px; text-align: right;">+ \$400.00 (1632)      \$ 400.00</td> </tr> <tr> <td colspan="2" style="padding: 5px;">App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)</td> <td colspan="2"></td> </tr> <tr> <td colspan="2"></td> <td colspan="2" style="padding: 5px; text-align: right;">TOTAL OF ABOVE CALCULATIONS = \$ 900.00</td> </tr> <tr> <td colspan="2"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.         </td> <td colspan="2" style="padding: 5px; text-align: right;">+ \$ 0.00</td> </tr> <tr> <td colspan="2"></td> <td colspan="2" style="padding: 5px; text-align: right;">SUBTOTAL = \$ 900.00</td> </tr> <tr> <td colspan="2">           Processing fee of <b>\$130.00 (1618)</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).         </td> <td colspan="2" style="padding: 5px; text-align: right;">\$ 0.00</td> </tr> <tr> <td colspan="2"></td> <td colspan="2" style="padding: 5px; text-align: right;">TOTAL NATIONAL FEE = \$ 900.00</td> </tr> <tr> <td colspan="2">           Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 (8021)</b> per property +         </td> <td colspan="2"></td> </tr> <tr> <td colspan="2"></td> <td colspan="2" style="padding: 5px; text-align: right;">TOTAL FEES ENCLOSED = \$ 900.00</td> </tr> <tr> <td colspan="2"></td> <td colspan="2" style="padding: 5px; text-align: right;">Amount to be refunded :</td> </tr> <tr> <td colspan="2"></td> <td colspan="2" style="padding: 5px; text-align: right;">charged :</td> </tr> <tr> <td colspan="2">           a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.         </td> <td colspan="2"></td> </tr> <tr> <td colspan="2">           b. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.         </td> <td colspan="2"></td> </tr> <tr> <td colspan="2">           c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u>. A duplicate copy of this sheet is enclosed.         </td> <td colspan="2"></td> </tr> <tr> <td colspan="2">           d. <input checked="" type="checkbox"/> Charge <u>\$ 900.00</u> to credit card. Form PTO-2038 is attached.         </td> <td colspan="2"></td> </tr> <tr> <td colspan="4" style="padding: 5px;"> <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b> </td> </tr> <tr> <td colspan="4" style="text-align: center; padding: 10px;">             SIGNATURE         </td> </tr> <tr> <td colspan="4" style="text-align: center; padding: 5px;">           Patrick C. Keane         </td> </tr> <tr> <td colspan="4" style="text-align: center; padding: 5px;">           NAME         </td> </tr> <tr> <td colspan="2" style="text-align: right; padding: 5px;">           32,858         </td> <td colspan="2" style="text-align: right; padding: 5px;">           November 23, 2005         </td> </tr> <tr> <td colspan="2" style="text-align: right; padding: 5px;">           REGISTRATION NO.         </td> <td colspan="2" style="text-align: right; padding: 5px;">           DATE         </td> </tr> </table>		Basic Filing Fee (1631)		\$ 300.00	Surcharge of <b>\$130.00 (1617)</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 0.00	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	4	-20 =	0 <input type="checkbox"/> \$50.00 (1615)      \$ 0.00	Independent Claims	1	- 3 =	0 <input type="checkbox"/> \$200.00 (1614)      \$ 0.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00 (1616)		Examination Fee		+ \$200.00 (1633)      \$ 200.00		Search Fee		+ \$400.00 (1632)      \$ 400.00		App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)						TOTAL OF ABOVE CALCULATIONS = \$ 900.00		<input type="checkbox"/> Applicant claims small entity status. 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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Fritz-Albert POPP et al. ) Group Art Unit:  
Application No.: ) Examiner:  
Filed: November 23, 2005 ) Confirmation No.:  
For: METHOD FOR TESTING EXTERNAL )  
INFLUENCES ON BIOLOGICAL )  
TISSUE )  
)

**GENERAL AUTHORIZATION FOR PETITIONS  
FOR EXTENSIONS OF TIME AND PAYMENT OF FEES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

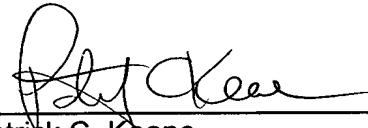
In accordance with 37 C.F.R. § 1.136(a)(3), the U.S. Patent and Trademark Office is hereby provided with a general authorization to treat any concurrent or future reply requiring a petition for an extension of time for its timely submission as containing a request therefor for the appropriate length of time.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. § 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: November 23, 2005

By:   
Patrick C. Keane  
Registration No. 32,858

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Alexandria, VA 22313-1404  
(703) 836-6620